

**SENTENCING MINUTES**

DATE: 5-25-2022

CASE NUMBER: 3:21cr17

JUDGE: Hudson

CT REPORTER: Harding, OCR

INTERPRETER: \_\_\_\_\_

UNITED STATES OF AMERICA

*Michael Moore, AUSA  
Samuel Fishel, II, AUSA*

v.

COUNSEL

Joshua Brady

Charles Gavir, ESQ.

SENTENCING ON COUNT(S): 3 (  ) Criminal Information  
(  ) Indictment (  ) Superseding Ind.

PRELIMINARY MATTERS: See page 4

OBJECTIONS TO PSR: None

STATEMENTS MADE BY: GOV'T (  ) DEFENSE COUNSEL (  ) DEFT (  )

ON MOTION OF GOV'T. (  ) INDICTMENT (  ) REMAINING CTS DISMISSED

**DEFENDANT TO VOLUNTARILY REPORT TO DESIGNATED INSTITUTION**

ON: \_\_\_\_\_ BY: \_\_\_\_\_  
(  ) IF NO DESIGNATION MADE, REPORT TO U.S. MARSHAL IN RICHMOND

DEFT ADVISED OF RIGHT OF APPEAL within 14 days of today (  )

DEFT REMANDED TO CUSTODY (  )

CASE SET: 2:00 BEGAN: 2:02 ENDED: 3:05 TIME IN COURT: 1:03

PAGE TWO (2)

SENTENCE TEXTCOUNT 3 IMPRISONMENT 360 MOS. CONCURRENT ( ) CONSECUTIVE ( )

CREDIT FOR TIME SERVED ON THIS CHARGE ( )

SUPERVISED RELEASE life YEARS

PROBATION \_\_\_\_\_ YEARS

FINE \$ \_\_\_\_\_ (✓) Fine not imposed

SPECIAL ASSESSMENT \$ 100- due immediately

COUNT \_\_\_\_\_ IMPRISONMENT \_\_\_\_\_ MOS. CONCURRENT ( ) CONSECUTIVE ( )

SUPERVISED RELEASE \_\_\_\_\_ YEARS CONCURRENT ( )

PROBATION \_\_\_\_\_ YEARS CONCURRENT ( )

FINE \$ \_\_\_\_\_ ( ) Fine not imposed

SPECIAL ASSESSMENT \$ \_\_\_\_\_ due immediately

COUNT \_\_\_\_\_ IMPRISONMENT \_\_\_\_\_ MOS. CONCURRENT ( ) CONSECUTIVE ( )

SUPERVISED RELEASE \_\_\_\_\_ YEARS CONCURRENT ( )

PROBATION \_\_\_\_\_ YEARS CONCURRENT ( )

FINE \$ \_\_\_\_\_ ( ) Fine not imposed

SPECIAL ASSESSMENT \$ \_\_\_\_\_ due immediately

CONSENT ORDER OF FORFEITURE MADE A PART OF JUDGMENT IN CASE (✓)

RESTITUTION ORDERED: \$34,120.60

## RECOMMENDATION(S) TO BOP:

- ( ) Designate dft. to a facility near family (✓) Designate dft. to Petersburg FCI  
 ( ) SHOCK Incarceration Program ( ) BRAVE Program  
 (✓) Educational / Vocational training (✓) BOP 500 Intensive drug treatment program  
 ( ) UNICOR program ( ) with \_\_\_\_\_ portion of earnings directed to child support  
 (✓) OTHER: mental health treatment

**PAGE THREE (3)****SPECIAL CONDITIONS of Probation / Supervised Release:**

- (1) Incur no new credit without approval of probation officer
- (2) Provide probation officer with access to financial information
- (3) Perform community service \_\_\_\_\_ HOURS during period of supervision
- (4) Participate in drug/alcohol treatment; \_\_\_\_\_ Pay cost of treatment
- (5) Participate in mental health treatment; \_\_\_\_\_ Pay cost of treatment  
\_\_\_\_\_ Participate in anger management
- (6) Participate in home confinement program for \_\_\_\_\_ with monitoring  
\_\_\_\_\_ Permitted to work, attend church, or other approved activities  
\_\_\_\_\_ Maintain telephone without special features; no cordless phone  
\_\_\_\_\_ Pay costs of electronic monitoring
- (7) Placement in a Community Confinement Center for \_\_\_\_\_ (term)
- (8) Defendant to be surrendered to BICE for deportation proceedings  
\_\_\_\_\_ If deported, defendant to remain outside the United States
- (10) Mandatory drug testing waived  
\_\_\_\_\_ Probation officer may still administer drug test if deemed appropriate
- (11) Pay child support in amount ordered by social services or Court
- (13) Serve intermittent confinement on weekends for a period of \_\_\_\_\_ DAYS
- (14) No possession of pager, cellular telephone, or other handheld communication device
- (15) Defendant shall pay any balance owed on the S/A imposed by the Court  
\_\_\_\_\_ Pay in installments of not less than \$ 100.00 per month,  
to begin 30/60 days after start of supervision until paid in full
- (16) Waive all rights of confidentiality regarding mental health treatment  
(or other treatment) to allow release of information to Probation, etc.
- (17) Commencing \_\_\_\_\_, and continuing for \_\_\_\_\_, defendant may  
operate a motor vehicle only for purposes of work and court, including travel to  
the Probation Office and alcohol treatment program
- (18) Defendant to apply monies received from tax refunds, lottery winnings, and any  
anticipated or unexpected financial gains to the Court-ordered financial  
obligation

(---) Other special conditions:

Register with state sex offender registration agency

No internet use and no unsupervised contact with minors without approval of the probation officer

**PAGE FOUR (4)**

**SENTENCING MINUTES, CON'T.**

United States of America v. Joshua Clayton Brady

Criminal No. 3:21CR00017-HEH

May 25, 2022

**PRELIMINARY MATTERS**

Defendant placed under oath and heard at the lectern regarding obtaining a new attorney.

Courtroom cleared with exception of defense counsel; defendant heard *ex parte*.

Defense counsel heard.

Government attorneys readmitted into courtroom and heard.

Government exhibits 1-4 (emails) submitted to the Court.

Findings given from the Bench; defendant's request for new counsel denied.

Victim impact statement made by victim number 1.

Defendant's Motion for Downward Variance (ECF no. 80).

Argument heard.

Findings given from the Bench; motion denied.